IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.817 OF 2006
IN
APPEAL (LDG.) NO.1060 OF 2005
IN
ARBITRATION PETITION NO.75 OF 2004

M/s.Eveready Investment Pvt.Ltd. & Anr. ...Appellants
V/s.
M/s.Suresh Enterprises & Anr. ...Respondents

Mrs.Sujata Naik for the Appellant.
None for the Respondents.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 21ST APRIL, 2006.

P.C. :

1. Heard the learned counsel for the Appellant. None appears for the Respondents though served. The learned advocate for the Appellant undertakes to file affidavit of service within two weeks from today. Perused the affidavit in support of the Notice of Motion. For the reasons stated in the affidavit in support of the Notice of Motion, sufficient cause is made out for condoning the delay of 36 days. There is no case of inaction, negligence or want of bona-fide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)